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**LUNENBURG TOWN
CLERK OFFICE**

**BOARD OF SELECTMEN
MEETING MINUTES
6/5/12**

Handwritten signatures: Jm, AS, Pb, Sma

The Board of Selectmen met in the Joseph F. Bilotta Meeting Room, Town Hall as scheduled with David Matthews, Steven M. deBettencourt, Paula Bertram, Tom Alonzo, Carl "Ernie" Sund and Town Manager Kerry Speidel present. Regular Meeting opened at 7:00 PM with the Pledge of Allegiance.

PUBLIC COMMENT

Mr. Matthews welcomed LSI (Life Skills Inc.) and the Yankee Consignment Store which had their grand opening yesterday at 5 Summer St in Lunenburg. He explained that this is an organization that funds housing & programs for adults with disabilities and said that in these days of diminishing state funding for these programs its good to see a group getting together through business and enterprise and creating their own funding. He recommended that the public stop in and visit their establishment.

ANNOUNCEMENTS

7:15 p.m. JNJUHL & Associates; Eagle Heights Project – Jon Juhl representing JNJUHL & Associates and Paul Teixeira from RCAP Solutions came before the BOS to ask for an extension on the original agreement they had with the town on the Eagle Heights Project. They gave an update on the Eagle Heights Project and to ask for the BOS support in this project. Mr. Teixeira spoke and said that RCAP is acting as a non-profit sponsor for the Eagle Heights Program. He said that they have applied twice to HUD for funding and were not successful in either attempt. He feels that the second application scored very highly and there is a lot of support from the HUD staff for this project.

Mr. Teixeira explained that they are in a holding pattern right now because the funding for these types of housing is challenging and they need to discuss with the BOS what can be done to strengthen the application. Some of the suggestions to build up the application were to have the project located close to services such as the senior center and stores, reaching out to minorities and families, and local support such as donation of land or buildings, waiver of water and sewer connection fees, or donation of grounds maintenance.

The original agreement called for going through three funding rounds and he feels that the next time they will be able to apply will be next spring after elections.

Mr. Juhl spoke and said that they received a positive attitude from the HUD staff for this project. He said that one of the challenges they face could be that depending on the budget and the resources available on the 202 they may have to change the structure in terms of financing. He explained that HUD is looking for state resources to become more of a factor in terms of how these projects get funded with tax credits, which could loosen up the income eligibility for senior citizens.

Mr. Juhl said that they are also looking at state programs that mirror the federal ones. One in particular they are looking at is called Elder Mixed Income Housing Programs which comes from Mass Housing which is similar to the 202 from HUD. He asked for the BOS support while looking at both programs.

Mr. Matthews spoke and said that one of the reasons the recent override failed was because of the elders concerns of being able to stay in their homes. He feels that this project is more important now then when it started.

BOS members all voiced their support for this project.

Discussion ensued about funding for other projects in different communities and the need for this type of housing. Mr. Teixeira added that in the other communities that they have done these projects in they do not pay real estate taxes. Ms. Bertram said that she thinks the BOS need to review the original agreement again before they extend the agreement and that it should be added to the agenda as soon as possible.

APPOINTMENTS

CURRENT BUSINESS

1. Request for Voluntary Toll, Chester Mossman Teen Center – Maureen Dupuis, Program Director at the Boys & Girls Club Chester Mossman Teen Center spoke requesting permission for a voluntary toll on June 23, 2012 and on September 8, 2012.

Mr. Sund questioned whether or not there would be children in the road working the tolls. Ms. Dupuis answered no they would need to be 18 or older.

At this time Mr. Alonzo recused himself from the vote.

Ms. Bertram motioned to approve the request for the Voluntary Toll for the Chester Mossman Teen Center for June 23, 2012 & September 8, 2012. Mr. deBettencourt seconded. On vote, motion carried, 4 in favor, 0 opposed.

2. Notification, Bicycles Battling Cancer Event, June 10, 2012 – Ms. Speidel explained that this is a state wide event that will be taking place on Rt. 2A and goes through several towns. She said that this is a notification of the event which will be held on Sunday and that this request has been approved by the Chief of Police. There is no action required from the BOS on this matter.

3. Approval, Sale of Bonds, 2012 General Obligation & 2003 Advanced Refunding – Ms. Speidel explained that the purpose of the sale of the bonds is because the interest rates are so low at this time. She said that with a bond issue there are only certain opportunities/call when you can refund due to the fact that these are sold as investment tools so people are relying on the income. You can either refund at the call or in advance of the call and the Towns Financial Advisor has reviewed them and believes that this is an opportunity to do an advanced refund of the issue.

Ms. Speidel said that originally it was thought that the town could save \$600K but now realizes it will be less than that at \$550K over the next 11 years, which will result in a net savings of about \$30K per year to the town.

Part of the bond issue includes the Primary School, which the town receives a reimbursement from MSBA, so part of the savings will need to be returned to the State. The other part of the bond issue is a combination of permanent financing of the DPW building and the last 2 years of the Capital Improvement Plan for which the town chose to borrow. The new borrowing is \$1, 815,000. and the rest of the issue is refunding the 2003 issue.

Bids were taken last week and 3 bids were received on the bonds. The best bid was from Robert W. Baird & Co. with a true interest cost of 2.284% for this issue. As part of this issue the town will receive a premium to cover the insurance cost which is a standard practice. The premium received is for \$179K with a net premium to the town after all of the costs are accounted for at \$137K which will come into the General Funds as a receipt for this year.

Ms. Speidel pointed out that as part of this process the towns rating agency, Standard & Poor's needed to review the towns bond rating, which has retained at a AA- and there was no negative language included the rating review. This will have a positive impact on the interest rate which is paid on bonds.

Ms. Speidel noted that the bonds are executed by the BOS and the Treasurer/Collector and for this bond issue the Assistant Treasurer will be signing as the Treasurer because the acting Treasurer/Collector does not have the bond that she needs in order to sign on behalf of the Town.

Mr. Matthews requested that the Standard & Poor's rating be posted on the town website.

Mr. deBettencourt inquired about the acting Treasurer/Collectors position and asked if it was the intention of the Town Manager to get her bonded. He was also concerned about the position's salary being paid out of the BOS budget. Ms. Speidel responded that the statutory requirement is that the acting Treasurer/Collector provide a bond to the Town, it is the responsibility of that individual to provide it, which she has not done. The Town will pay the cost of the bond. Mr. deBettencourt asked if it was the Town Manager's intention to appoint the position of Treasurer/Collector to Ms. Gustus if she gets the bond.

Ms. Speidel responded that the appointment of the Treasurer/Collector under the Town Charter is different then most of the appointments and that it is an appointment of the BOS. She added that under MGL Chapter 40 Section 41 which applies to the bonding issue, if the Treasurer or temporary Treasurer fails to provide the bond within 10 days, which is required by MGL, the BOS can declare the office vacant, so at this point in time her appointment is invalidated due to the fact that she did not provide the bond.

Mr. deBettencourt asked if Ms. Gustus knew of this situation. Ms. Speidel said that she herself had only learned of this matter last week and that the paperwork had been provided to the individual to obtain the bond. She also stated that the individual had indicated an awareness of knowing that the bond was required back in January.

Mr. deBettencourt stated that it is concerning that the Town has gone this long with an acting Treasurer/Collector and would like to move forward with this issue as soon as possible. He questioned the salary payment coming from the BOS again. Ms. Speidel said that it's where the Town Accountant has been drawing it from and before the end of the year is closed, she will have the Town Accountant do a journal entry and charge that salary to the Treasurer/Collectors office.

Due to the length of the vote, Ms. Speidel requested that a board member read the vote and then sign the documents at the BOS leisure. Mr. Sund read the vote into record. Mr. Sund motioned to approve the Sale of Bonds, 2012 General Obligation & 2003 Advanced Refunding. Mr. Alonzo seconded. On vote, motion carried, 5 in favor, 0 opposed.

4. FY2013 Budget; Schedule Change – Ms. Bertram recused herself from this discussion.

Ms. Speidel stated that there was some unfinished business in regards to the FY13 budget which she wanted to review. Notifications will be sent tomorrow to employees who will be seeing a reduction in hours and changes in schedules. She said that as proposed in the original budget the Chief Administrative Assistant position at the BOS will be eliminated. The hours of the IT Assistant will be reduced from 40 to 15 hours per week which is based on the significant drop in the workload.

In regards to the combining part-time Administrative Assistant position at the Board of Health and Conservation office, Ms. Speidel said that she was contacted by the Chairs of both offices and they had stated their opposition to this move. She said that she reviewed this again and due to the concerns of the BOH and Conservation office she has decided to retain both part-time positions. The BOH Administrative Assistants hours will be reduced from 30 to 26 hours per week and the Conservation Administrative Assistants hours will be reduced from 32 to 28 hours per week.

In order to do this Ms. Speidel stated that she needed to find funding for 14 hours per week. This will entail reducing the Payroll Coordinators hours from 40 to 36 hours per week, reducing funding for IT Coordinator from \$10K to \$5K, and Ms. Speidel will forego her Town Manager contractual raise for FY13.

She stated that in making these adjustments she believes the town will still be approximately \$2K short but is hoping to make that up during the course of the year. She said that this is a "band aide" approach to give the town more time on how to make further reductions and she does not expect to be able to sustain what we have in FY13 in FY14.

The full-time schedule at Town Hall and Ritter Memorial Building will be reduced from 40 to 36 hours. The new hours will be Monday & Wednesday 8:00 a.m. – 4:00 p.m. and Tuesday & Thursday 8:00 a.m. – 6:00 p.m. (with the exception of BOH & Conservation)

These adjustments will be effective as of July 1, 2012 and Ms. Speidel would like to re-look at these hours again on August 31st to see if they are working out for the departments.

Mr. Alonzo voiced his objection of the added budget change in saying that he felt that a lot of time was spent evaluating the original four budget scenarios, it was clear as to what was going to happen, and now its changed two weeks after the vote. He also was concerned with the Town Manager's forgoing a salary increase and said "this ain't no way to run a town".

Ms. Speidel explained that none of the other four proposals were chosen because of a concern about which employees would be affected because of seniority. She didn't think it was fair or appropriate to select an alternative that would impact people that really had no notice of being impacted. She did not come up with this proposal before because she just recently looked at the situation with the IT assistant and did not expect that they would be able to further reduce that. There was a concern about "bumping" by union employees and she chose it because it seemed to be the best alternative.

Mr. Sund spoke and said that he feels Ms. Speidel has come up with another alternative which he thinks is good and he would like to support it.

Mr. deBettencourt feels that this is a less painful way of going and does not create complications as the proposals would have done.

Mr. Matthews stated that staffing throughout the town, especially at the Ritter Building will all be in play over the next year and every year will become increasingly painful. He said that they will be looking at more consolidation and cross training. He also said that when people talk about the Town Manager's raise they should put it into perspective that when

you receive one raise in five years he hopes people will respect and appreciate the effort on the Town Manager's part and he appreciates her effort.

Ms. Bertram returned to the meeting at this point and Ms. Speidel read a letter from the Director of the Eagle House informing them of the schedule changes at the senior center. The senior center will be closed on Fridays and all Friday activities have either been rescheduled to other days or cancelled. The Eagle House hours will now be Monday through Thursday, 8:00 a.m. to 4:00 p.m.

Ms. Speidel stated that the Library Board of Trustees are still working on finalizing their plans for FY13.

5. BOS Policies & Procedures – Ms. Speidel will have marked up copies printed this week to distribute to the BOS.

6. Minutes/Warrants/Action File Issues –

Minutes: 5/8/12

5/22/12

Warrants – Payroll -\$1118.64

\$358.68

Payroll Deductions \$407,772.97

Payroll \$765,984.88

Accts. Payable \$297,406.19

Action File Issues – None

7. Committee Report – Mr. Alonzo reported that the Finance Committee Appointing Committee had five good applicants and they interviewed all of the candidates. They are happy to announce that the three candidates that were chosen are Steve Raboin, Jason Smith, and Theresa Birchfield. They will begin to serve as complete board on July 1st.

Ms. Bertram reported that she attended the previous evenings Planning Board where the main topic of discussion was the EPG Solar where they went through the findings and directives. At the conclusion it was determined to table action on approval or disapproval until the Planning Board has an opportunity to speak with Town Counsel because of concerns with how this will work with the new Zoning Bylaw

Ms. Speidel said that the Planning Director informed her that they will be meeting with Town Counsel on June 13th and it will be a public meeting.

Ms. Bertram said that she had forwarded to the BOS the MPO draft TIP and that Lunenburg is only mentioned once in the TIP. She said that MRPC's "Mr. Mapper" program will tell you what roads are eligible for federal aid and there are several roads in Lunenburg meet the requirements. She then explained the process of how to apply for federal aid to the BOS. Ms. Bertram recommended that they move forward with identifying projects, getting in front of District 3 and start doing some lobbying to get some additional federal aid money for Lunenburg.

Ms. Bertram also said that she met with Glen Eaton from MRPC and asked how the Summer St. project can move forward. He suggested that the towns MJTC Representative gets in front of the MJTC and at a minimum reports quarterly on the status of that project.

Ms. Bertram spoke about the Planning Board meeting again in saying that she became aware of a grant which has come available for a Request for Service Delivery for District Local Technical Assistance grant. The deadline for filing for this grant is next Friday at noon. She said that the Planning Board is looking at master planning, priority development, and preservation of areas along with commercial growth and that would fall under the eligible tasks in this grant. She said that the Planning Director met with Glen Eaton from MRPC today and they will be filing for the grant.

Ms. Speidel said that the DLTA program applied approximately one year ago for funding for reviewing the zoning along the Summer St. corridor in all three communities and that MRPC has just completed that project for the town. She said that the Town of Lunenburg has never made terrific use of MRPC and they need to correct that going forward because they are a huge resource that receives a lot of grant funding for the region.

Mr. Matthews reported that the School Building Committee met last Wednesday at the High School where they familiarized new members to the facility and the challenges that are there. They finalized questions they will be using in the interview process with OPM as well as RFP that will be going out. The School Committee will be meeting tomorrow night and will be discussing options for consolidating the schools sooner than later, and how to make better use of the budget to minimize some overhead costs.

8. Department Reports - None

9. Town Manager Reports – Ms. Speidel presented a document to the BOS to sign regarding a pole location which was approved by the BOS on April 9, 2012.

Ms. Speidel mentioned that the closing date for the Jones House which was set for Monday June 11th will probably be pushed off for one more week but she will have the final document to be signed for the deed and land development agreement next week. The extra time needed for the closing date is due to the fact that when the title search was done it was found that the solar array that is located on the top of Turkey Hill Middle School, the legal description somehow got tied into the Jones House and needs to be corrected before closing.

Ms. Speidel would like to look next at 925 Mass Ave, the abandoned gas station. She would like to talk to Town Counsel about the Town foreclosing its tax title lien on the property and believes the town can take that property without any liability. Her intent is for the town to take the property for the purpose of obtaining a grant for the clean up of the property and to turn it back into something that somebody would like to purchase for business use.

Ms. Speidel said that next week is the scheduled appointment of the next Fire Chief, Patrick Sullivan. She spoke of Mr. Sullivan's positions that he now holds in this town as well as others. She said that 25 people applied, they interviewed 4 candidates, and Mr. Sullivan was the best candidate for the job. The current Fire Chief is retiring July 31st and the appointment Deputy Chief Sullivan would be August 1st.

The ad for the Police Chief's position has been posted and Ms. Speidel hopes to bring a candidate for this position to the BOS by the beginning of July. The current Police Chief will be retiring on August 10th and the appointment of the next Chief will be on August 11th.

OLD BUSINESS - None

APPOINTMENTS/RE-APPOINTMENTS/RESIGNATIONS - None

EXECUTIVE SESSION - None

Being no further business, Mr. deBettencourt motioned to adjourn the meeting. Ms. Bertram seconded. On vote, motion carried, 5 in favor, 0 opposed.

Meeting ended at 8:45 p.m.

UPCOMING MEETING SCHEDULE

June 12, 2012

June 19, 2012

*Respectfully submitted,
Susan Doherty, Recording Secretary
Board of Selectmen*

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